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(Original Signature of Member)

117TH CONGRESS
1ST SESSION

H. R. _____

To provide for the establishment of an interagency working group to combat the theft of United States intellectual property, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Ms. HOULAHAN introduced the following bill; which was referred to the Committee on _____

A BILL

To provide for the establishment of an interagency working group to combat the theft of United States intellectual property, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Intellectual Property
5 Violators Accountability and Transparency Act”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

1 (1) the United States' global leadership position
2 has benefitted immeasurably from the public and
3 private sector's unparalleled track record of fostering
4 an environment capable of marshaling capital, devel-
5 oping new technologies, and producing new innova-
6 tions;

7 (2) the changing nature of the world economy,
8 with ever more globalization and increasing returns
9 to scale on new technologies, has made it more im-
10 portant than ever to stay on the cutting edge of the
11 technological frontier;

12 (3) the People's Republic of China continues to
13 be a leading violator of intellectual property rights in
14 the world as documented by the United States Trade
15 Representative's 2021 Special 301 Report, and esti-
16 mates place the cost of intellectual property theft by
17 China of between \$200 and \$600 billion per year;

18 (4) the growing scope of research dollars per in-
19 novative discovery make the harms and costs of in-
20 tellectual property theft more acute now than any
21 time in history;

22 (5) the importance of protecting the intellectual
23 property of United States technology and tele-
24 communications firms is of paramount importance
25 to the dynamism and resilience of the United States'

1 economy and the preservation of United States na-
2 tional security; and

3 (6) United States national security is threat-
4 ened by widespread intellectual property theft, and it
5 is crucial that the United States Government, in co-
6 ordination with the private sector, act to curtail
7 thieves of American ingenuity.

8 **SEC. 3. WORKING GROUP ON UNITED STATES INTELLEC-**
9 **TUAL PROPERTY PROTECTION.**

10 (a) ESTABLISHMENT.—Not later than 90 days after
11 the date of the enactment of this Act, the President shall
12 establish an interagency working group—

13 (1) to combat the theft of United States intel-
14 lectual property; and

15 (2) examine how the tools and levers of foreign
16 policy, including the use of existing authorities, can
17 be used to protect United States intellectual prop-
18 erty.

19 (b) MEMBERSHIP; CHAIRPERSON.—The interagency
20 working group established pursuant to subsection (a)
21 shall—

22 (1) be composed of the head or designee of each
23 Federal department or agency that the President de-
24 termines to be appropriate; and

1 (2) be chaired by the Secretary of State or the
2 Secretary's designee.

3 **SEC. 4. REPORT.**

4 (a) IN GENERAL.—Not later than one year after the
5 date of the enactment of this Act, the Secretary of State,
6 in consultation with the interagency working group estab-
7 lished pursuant to section 3(a), shall submit to the Com-
8 mittee on Foreign Affairs of the House of Representatives
9 and the Committee on Foreign Relations of the Senate
10 a report that includes the following:

11 (1) An identification of major foreign state-in-
12 fluenced or state-owned enterprises that the Sec-
13 retary credibly determines have engaged in or bene-
14 fitted from significant acts or series of acts of intel-
15 lectual property theft against United States persons.

16 (2) An identification of the markets in which
17 such foreign enterprises sell products or services
18 that incorporate or are derived from stolen United
19 States intellectual property.

20 (3) A determination of whether the actions
21 taken by such foreign enterprises have resulted in
22 enforcement actions, and if they have not, an anal-
23 ysis of whether there are gaps in the enforcement
24 framework or other rationale for the lack of enforce-
25 ment actions in these cases.

1 (4) Any proposed new authorities Congress
2 could provide to the President to combat intellectual
3 property theft by such foreign enterprises.

4 (b) FORM.—The report required by subsection (a)
5 shall be submitted in unclassified form, but may include
6 a classified annex.